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E.O. 12958: DECL: 03/20/2017
TAGS: PREL PGOV PHUM UP
SUBJECT: UKRAINE: LUTSENKO RAIDED, INTERROGATED BY
PROSECUTOR GENERAL'S OFFICE

Classified By: Ambassador, reason 1.4 (b,d)

¶11. (SBU) Summary: On a busy political day that heralded a potential tectonic shift in the basic blue-orange divide in Ukrainian politics, which has existed since the November-December 2004 Orange Revolution (septel), a Prosecutor General Office (PGO) investigative team launched a seven-hour search of former Interior Minister Yuri Lutsenko's apartment shortly after 6:00 am March 20 as part of a criminal investigation widely seen as politically motivated. Lutsenko later reported to the PGO for interrogation.

¶12. (C) Comment: As we have reported previously, Lutsenko clearly has the ruling Regions' party rattled by his populist "People's Self Defense" rallies across Ukraine, which have started encroaching on their "blue" territory (reftel). The PGO raid and subsequent interrogation is the culmination of pressure against Lutsenko since his December 1, 2006, ouster as Interior Minister. Lutsenko took the apartment raid in stride. Separately, management at the state TV channel UT-1, decided not to rebroadcast its weekly live political talk-show from the evening prior, as usual; the show featured interviews with opposition leaders Yuliya Tymoshenko (BYUT) and Vyacheslav Kyrylenko (Our Ukraine - OU). The UT-1 decision, while lower profile, raises potentially concerns about government interference in media freedom, largely absent since the Orange Revolution. End Summary and Comment.

Upping the pressure: Lutsenko apartment raided

¶13. (SBU) Shortly after 6:00 am March 20, a five-person PGO team started a seven-hour raid on Yuri Lutsenko's apartment; Lutsenko was home at the time. His lawyers and media were denied access until after 9:00 am, nearly half-way through the raid, but a half-dozen OU MPs, led by financial backer David Zhvaniya and activist partner Mykola Katerynchuk, used their deputy status to gain access and take pictures of the raid, which were posted on the OU website midday (www.razom.org.ua/ru/news/14784).

¶14. (SBU) Lutsenko, who smiled for cameras during the raid, told reporters that he did not think the PGO really intended to imprison him but wanted to restrict his movement around the country leading his People's Self-Defense Movement rallies; the team confiscated his internal passport, two external passports, and his drivers' license. Lutsenko signed an agreement to come to the PGO's office for questioning for four days but not an entire month. Lutsenko said that the investigators refused to produce the court decision ordering the search of his apartment; his lawyers later claimed that there were multiple procedural violations during the search, carried out in support of charges of abuse of office and illegal use of weapons. Lutsenko appeared at the PGO's office at 4:30 pm for further interrogation; several dozen of his supporters are picketing the PGO,

according to press reports.

¶5. (SBU) PM Yanukovych told reporters that he had learned about the raid at 10:00 am, four hours after it started, and that he phoned PGO head Medvedko after talking to President Yushchenko. Yanukovych said that Medvedko claimed the raid was the decision of the investigator and was based on a court order; he said he would not intervene in the work of the PGO and law enforcement agencies. (note: the court authorization came from Pechersk Court, notorious for its politically-related decisions, particularly in the later Kuchma years, 2001-2004.)

¶6. (U) Visit Embassy Kyiv's classified website:
www.state.gov.sgov.gov/p/eur/kiev.

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